

Willie Davis, Jr., et al. v. Mountaire Farms, Inc., et al.
Civ. No. 04-414-SLR

VOIR DIRE

Good morning, ladies and gentlemen. I am Judge Robinson, and I will be presiding over the trial for which a jury is about to be drawn in the case captioned **Willie Davis Jr., et al v. Mountaire Farms, Inc., et al.** Briefly stated, this case is a civil action brought by plaintiffs Willie Davis, Jr., Nathaniel Briddell, Joseph Garrison, Larry E. Gibbs and Roy H. Walters against defendants Mountaire Farms, Inc., Mountaire Farms of Delmarva, Inc., and Mountaire Farms of Delaware, Inc., which I will collectively refer to as Mountaire Farms.

The trial is expected to last from today until August 8, 2008; however, jury deliberations may require you to be present longer. Our trial days will run from approximately 9:30 a.m. to 4:30 p.m.

Plaintiffs are represented by Jeffrey K. Martin, an attorney with Martin & Wilson. Defendants are represented by Arthur Brewer and Eric Hemmendinger, attorneys with Shawe & Rosenthal. With them is Max. B. Walton, of Connelly, Bove, Lodge & Hutz.

In light of this brief summary, I will ask you certain questions, the purpose of which is to: (1) enable the court to determine whether or not any prospective juror should be excused for cause; and (2) enable counsel for the parties to exercise their individual judgment with respect to peremptory challenges, that is, challenges for which no reason need be given by counsel. If any of you answer any question "yes," please stand up and, upon being recognized by the court, state your juror number. When I have concluded asking all the questions, we will call you back to the jury room

individually to speak with you about your affirmative response or responses.

HAVE CLERK ADMINISTER THE OATH TO THE PANEL

1. Is any member of the panel related to plaintiffs, Willie Davis, Jr., Nathaniel Briddell, Joseph Garrison, Larry E. Gibbs or Roy H. Walters?

2. Is any member of the panel related to defendant Mountaire Farms or personally acquainted with any officer, director, or employee of, or ever done business with, Mountaire Farms?

3. Is any member of the panel related to, or personally acquainted with Jeffrey Martin, plaintiffs' attorney, or ever been represented by him or another member of his law firm, Martin & Wilson?

4. Is any member of the panel related to, or personally acquainted with Arthur Brewer or Eric Hemmendinger, defendant's attorneys, or ever been represented by them or by any associate or member of their law firm, Shawe & Rosenthal? Is any member of the panel related to, or personally acquainted with Max. B. Walton, defendant's attorney, or ever been represented by him or by any associate or member of his law firm, Connolly, Bove, Lodge & Hutz?

5. Is any member of the panel relate to, or personally acquainted with, any of the following individuals who might appear as witnesses in this case:

Willie Davis, Jr.

George W. Feddiman

Nathaniel Briddell

Joseph Garrison

Larry E. Gibbs

Roy H. Walters

Phillip Owen

Douglas Lynch

David Nuse

Susan McCauley

Alan Zlotorzynski

Mike Terrell

6. Does any member of the panel have any personal knowledge of this case, or have you read or heard it discussed, or have any opinion regarding it?

7. Has any member of the panel ever been a plaintiff, a defendant, or a witness in a civil lawsuit?

8. Has any member of the panel ever served as a juror in a civil lawsuit?

9. Does any member of the panel have any experience with, or knowledge of, the Fair Labor Standards Act or other wage-hour laws?

10. Have you or any member of your family ever made a claim or had a claim made against you based upon overtime compensation?

11. The defendant, Mountaire Farms, is in the business of growing, killing and processing chickens. Do any of you have any feelings or beliefs about the treatment or eating of animals that would affect your thinking about this case?

12. Have you, or someone close to you, been involved in a job-related law suit?

13. Have you or anyone close to you had any experience with Mountaire Farms that affects your opinion of the company?

14. Does any member of the panel have any special disability or problem that would make it difficult or impossible for you to serve as a member of the jury in this case?

15. Do you know of any other matter which you believe should be called to the court's attention as having some bearing upon your qualifications or ability to sit as a juror, or which you think may prevent you from rendering a fair and impartial verdict based solely upon the evidence and my instructions as to the law?